



UNITED STATES PATENT AND TRADEMARK OFFICE

ml
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,536	10/31/2001	Pradeep Sindhu	1014-014US01	4412
28863	7590	05/24/2007	EXAMINER	
SHUMAKER & SIEFFERT, P. A.			AVELLINO, JOSEPH E	
1625 RADIO DRIVE			ART UNIT	PAPER NUMBER
SUITE 300			2143	
WOODBURY, MN 55125				

MAIL DATE	DELIVERY MODE
05/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/004,536

EXAMINER

ART UNIT

PAPER

20070521

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

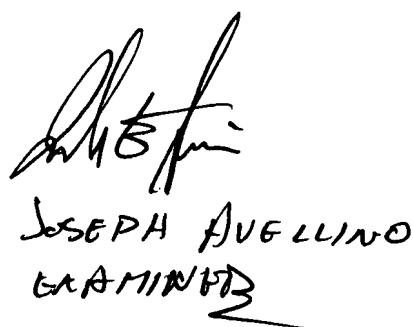
Commissioner for Patents

The reply brief filed on May 8, 2007, has been entered and considered, but no further response by the examiner is deemed necessary. The application has been forwarded to the Board of Patent Appeals and Interference for decision on the appeal.

Appellant argues in the Reply Brief, that (1) Bass does not buffer incoming packets differently based on the destination

As to point (1), the Examiner disagrees. As evidenced in the Examiner's Answer, Bass discloses that the destination is determined based on the destination (i.e. if the packet is received from the network, then the destination is always the second interface into the switch fabric to the second routing component). Irregardless of the claimed limitation, the second limitation does not necessarily have to occur in order to meet the claim. The packet is buffered in the external memory only "when the destination requires forwarding of the data to the network via the first interface", however since the packet received from the first interface only goes to the second interface (and to another routing component), this limitation does not occur, since the packet is buffered in internal memory "when the destination requires forwarding of the data to the second routing component". Appellant is advised that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

By this rationale, the rejection should be maintained.


JOSEPH AVELINO
EXAMINER